

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DR. MURRAY H. KIMMEL,	:	CIVIL ACTION
	:	
Plaintiff/Counterclaim Defendant,	:	
	:	
v.	:	
	:	
CAVALRY PORTFOLIO SERVICES, LLC,	:	NO. 10-680
	:	
Defendant/Counterclaim Plaintiff.	:	
	:	

ORDER

AND NOW, this 27th day of *July*, 2011, upon consideration of Plaintiff Dr. Murray H. Kimmel's Motion for Reconsideration (Docket Nos. 50 & 51), Defendant Cavalry Portfolio Services, LLC's Response in Opposition (Docket No. 54), Plaintiff's Reply Brief (Docket No. 59), and Defendant's Motion for Leave to File a Sur-Reply Brief (Docket No. 60), it is hereby **ORDERED** as follows:

1. Defendant's Motion for Leave to File a Sur-Reply Brief is **GRANTED**. The proposed Sur-Reply Brief attached to Defendant's Motion shall be deemed filed as of the date of this Order.
2. Plaintiff's Motion for Reconsideration is **GRANTED**. The portion of the Court's May 25, 2011 Order (Docket No. 49) granting Defendant's Motion for Summary Judgment as to All Claims is **VACATED**.
3. Defendant's Motion for Summary Judgment as to All Claims (Docket No. 33) is **GRANTED** with respect to Plaintiff's claims under 15 U.S.C. §§ 1692e, 1692e(10), and 1692f and is **DENIED** with respect to Plaintiff's claim under 15 U.S.C. § 1692g(a).
4. Nothing in this Order or the accompanying Memorandum shall have any effect on the portion of the Court's May 25, 2011 Order granting Defendant's Motion for Summary Judgment on its Counterclaims (Docket No. 34).
5. The parties are instructed to attend a scheduling conference in the Court's chambers at **11:00 a.m. on Wednesday, August 10, 2011**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S. J.